

ENVIRONMENTAL PROTECTION COMMISSION
SPECIAL MEETING/PUBLIC HEARING
MINUTES
October 16, 2013
7:30 P.M.
Auditorium, Town Hall

Chairman Riccardo called the meeting to order at 7:30 P.M

Commission Members Present: Vickie Riccardo, Wynne Shapiro, Rick Rohr, Alan Armstrong, Eric Joosten, Keith Kearney

Staff: Jacobson

Court Reporter: Syat

Ms. Riccardo called the first public hearing item:

EPC-40-2013, LTB Properties, 27 Blueberry Lane, proposing house replacement and septic system in an upland review area. The site is shown on Assessor's Map #7 as Lot #28. (Continued from October 2)

Dean Martin, P.E., represented the applicant. He introduced the owner/builder, Scott Church. He said they have shown a partial full basement. He said he has provided an additional test hole for the basement and added the pool patio, equipment, generator, and A.C. units. He said the revised drainage plan includes the pool and patio and a detention system for the footing drains. He said he has provided a maintenance plan for the drainage system.

Ms. Riccardo said she thought the maintenance plan was well done.

Mr. Rohr asked about the outlet for the sump detention system. Mr. Martin said it will tie into the outlet for the other system. He said he will make the line on the plan clearer.

Mr. Rohr requested the elevations for the crawl spaces be called out on the plan. Mr. Church said the crawl spaces will be three feet deep. They will show the elevations on the plan.

Mr. Rohr asked if the pool is now included in the application. Mr. Martin said they have included it in the drainage. Mr. Jacobson said the pool was shown conceptually on the plan. If the Commission approves the plan with the pool as shown and revised drainage, but builder does not build it, the homeowner could. However the pool must be built as shown on the approved plan, and the drainage must also match. Any change would require Commission approval.

Mr. Joosten made a motion to close the public hearing. Mr. Rohr seconded the motion and it passed 6-0.

The Commission proceeded to deliberate on the application.

Ms. Riccardo said the items to be addressed as conditions of approval include: adding the basement elevations; showing the sump outlet line on the plan; providing an as-built survey of the foundation elevations; requiring the builder to install the pool drainage; and prohibiting pool backwash. If the builder does not construct the pool, any future owner will be bound by the approved plan to install a pool or must submit a plan to the Commission to make changes.

Mr. Joosten made a motion to approve the application with the stipulations listed by Ms. Riccardo. Mr. Armstrong seconded the motion and it passed 6-0.

Ms. Riccardo called the next public hearing item:

EPC-29-2013, Town of Darien, Department of Public Works, 95 Rose Lane, proposing to replace a storm drain with a box culvert as part of replacement of upstream drainage system. The site is shown on Assessor's Map #25 as Lot #12. (Continued from September 4)

Darren Oustafine, P.E., Assistant Director of Darien's Department of Public Works, represented the applicant. He introduced Joe Canas, P.E., Tighe & Bond.

Mr. Oustafine said he believes the alternative presented in the application is the best alternative. He said no expert testimony has been presented to contradict the applicant's experts. He said the October 1, 2013 document from Tighe & Bond provides an explanation of alternatives including the hydrology and cost estimates. He said he believes the analysis shows that the original proposal makes the most sense.

Mr. Canas reviewed the alternatives presented in his October 1 report. He said the summary chart provides a comparison of the impacts by several parameters. He said his conclusion is that none of the alternatives have a clear advantage. He said the current proposal is the most cost effective and has the most expedient construction schedule.

Mr. Rohr asked how, if the difference in peak flow is only 10-12 cfs, a 2' by 4' box culvert is warranted. Mr. Canas said they are trying to reduce pressure in the system. He is also trying to minimize the height of the culvert to reduce the need for cover.

Mr. Canas said the 8" tile pipe brought up by a Park Lane resident at a previous hearing drains a catch basin in Park lane and has a 1.09 acre watershed.

Mr. Canas said the question was raised about extending the culvert to the river. He said there is not enough depth to install an underground culvert.

Mr. Canas said the DEEP permit program for stream channel encroachments would no longer require a permit as of October 1 if the alternative of creating a new discharge to the Noroton River was pursued. He said the alternative of piping along Holmes Avenue to West Avenue and discharging to the River would require a Water Diversion Permit for the West Avenue project into which the Holmes Avenue alternative would tie, because the watershed is more than 100 acres.

Mr. Canas said Alternative 3, routing the culvert in Holmes Avenue, was determined by the Milone & MacBroom study to be less cost effective than using the existing drainage route to Rose

Lane. Mr. Oustafine said the proposed plan has been funded, but the West Avenue drainage plan has not been funded, therefore Alternative 3 could not go forward until it is.

Mr. Kearney asked if there would be significant changes to the West Avenue plan if the two projects are tied together. Mr. Oustafine said the change to West Avenue would be just increasing the pipe size. There would be significant engineering design changes to the subject project.

Ms. Riccardo opened the hearing for public comment.

Cheryl Russell asked about the additional cost of the project for Alternative 3. Mr. Oustafine said it would be approximately \$600,000 more. Mr. Canas said the base cost for the project is 1.27 million dollars with approximately \$400,000 for engineering and administration fees.

Ms. Russell said there has been significant construction in the Abbey -Intervale area and Town boards and commissions should work together to stop large buildings and new basements. She asked what the maintenance schedule is for the Devon Road pipe. Mr. Oustafine said it is cleaned yearly.

Donna Gautier said the storm drains in Rose Lane have not been cleaned. She said there would be less wetland impact if the project went down Holmes Avenue.

Charlie Judge, 24 Intervale Road, said the engineers have made it clear that there will be no additional water, that the water will just get there faster. He said there has been no expert testimony to contradict the Town experts.

Cindy Brown, 8 Devon Road, asked if the Holmes Avenue alternative were constructed there would be no change to Rose Lane. Mr. Canas said that would be correct. She asked if any trees were damaged would they be replaced. Mr. Oustafine said that they would try to avoid damage but would attempt to put back something practical.

Mr. Rohr asked if the existing 30" pipe carries 58 cfs and the new peak is 68 cfs, why a 2' x 4' box culvert is warranted. Mr. Oustafine said he feels the pipe is the correct size based on the design by Mr. Canas.

Mr. Joosten made a motion to close the public hearing. Mr. Armstrong seconded the motion and it passed 6-0. The Commission will deliberate on November 6.

Ms. Riccardo called the next agenda item:

EPC-38-2013, Giannattasio Builders, Inc., 25 Libby Lane, proposing replacement house in an upland review area. The site is shown on Assessor's Map #9 as Lot #59. (Public hearing closed October 2)

The Commission reviewed the draft resolution and made revisions. Mr. Joosten made a motion to approve the resolution as amended. Mr. Armstrong seconded the motion and it passed 6-0.

Ms. Riccardo called the next agenda item:

P&Z referral: Estate of Beatrice Richards, 123 Five Mile River Road, Coastal Site Plan Review and Land Filling and Re-grading Application.

Ms. Riccardo said the Commission expressed concerns with the project in their decision as the Wetlands Agency. She said that as the Conservation Commission, the Commission recommended that P&Z retain a coastal expert. She said P&Z has heard for the applicant's consultant, Megan Raymond.

Mr. Armstrong said the letter from Attorney Gleason points out activities proposed on the property but does not take a position on the scale of the impacts. He said a consultant may be able to offer more concrete information.

Ms. Riccardo said she thought the Commission should wait to hear from the consultant retained on behalf of the P&Z Commission. She suggested a sub-committee be formed to review the project.

Mr. Armstrong and Mr. Joosten volunteered to join Ms. Riccardo to act as a sub-committee for the Conservation Commission.

Mr. Joosten made a motion to approve the minutes of October 2, as amended. Mr. Armstrong seconded the motion and it passed 5-0. Mr. Kearney abstained.

Mr. Joosten made a motion to adjourn. Mr. Rohr seconded the motion, and it passed 6-0. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer